

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NIKE, INC.,

Plaintiff,

-v-

LULULEMON USA INC.,

Defendant.

23-CV-771 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

The following schedule shall govern this case. Any motion for an adjournment or an extension shall be made at least 2 business days before the pertinent date or deadline.

1. Infringement contentions shall be served by June 29, 2023.
2. Invalidity contentions shall be served by August 14, 2023.
3. A joint claim construction chart shall be filed by September 11, 2023.
4. Claim construction expert depositions shall be completed by September 25, 2023.
5. The parties shall propose a schedule for claim construction briefing by October 1, 2023.
6. A *Markman* hearing will be held in person on December 11, 2023, in Courtroom 706, 40 Foley Square, New York, NY.
7. All fact discovery shall be completed by March 15, 2024
 - a. Initial requests for production shall be served by May 30, 2023.
 - b. Interrogatories and requests to admit shall be served by February 15, 2024.
 - c. Depositions shall be completed by March 15, 2024.
8. All counsel shall meet in person to discuss settlement within 14 days after the close of fact discovery.
9. All expert discovery shall be completed by June 15, 2024, or 90 days after the Court's *Markman* order, whichever is later.
10. The parties shall propose a briefing schedule for summary judgment motions within 7 days after the close of fact discovery.
11. The joint pretrial order shall be filed within 30 days after the close of all discovery or 30 days after the denial of any motion for summary judgment.

SO ORDERED.

Dated: May 23, 2023
New York, New York


J. PAUL OETKEN
United States District Judge